IN THE HIGH COURT OF UTTARAKHNAD
AT NAINITAL

Writ Petition No. 39 of 2007 (S/S)

Pawan Kumar
S/o Sri Sita Ram
R/o R-58 Sharda Nagar
Jwalapur, Haridwar .....**Petitioner**

Versus

1. State of Uttaranchal through Secretary Energy, Dehradun
2. Chairman, Managing Director Uttaranchal Power Corporation Ltd., Urja Bhawan, Kanwali, Dehradun.
3. General Manager (Distribution) Garhwal Zone, 120 Haridwar Road, Dehradun.
4. Deputy General Manager Vidhut Vithran Mandal, Roorkee.
5. Executive, Engineer Gramin Vidhut Vitran Khand Roorkee (Haridwar)

.....**Respondents**

Hon'ble M.M.Ghildiyal, J.

Heard Sri Sanjeev Singh, learned counsel for the petitioner, learned Standing Counsel for respondent no. 1 and Sri B.D. Upadhyay, learned counsel for respondents no. 2 to 5.

By means of this writ petition, the petitioner who is working as a Junior Engineer in the power corporation, Bhagwanpur, Roorkee, has challenged order dated 26.12.2006 passed by Deputy General Manager, Electric Distribution Division, Dehradun placing the petitioner under suspension for certain, charges. The petitioner has challenged this order on two grounds. Firstly, the suspension order has been passed by the authority, which is below to the rank of appointing authority. The Second ground is that he has not been served charge sheet till date.

Learned counsel for respondents no. 2 to 5 has submitted that the impugned order had been passed by the competent authority.

In the circumstances, I deem it fit and proper to direct the respondents to appoint Enquiry Officer, if the same has not yet been appointed and furnish charge sheet to the petitioner within a month from today. After competing the enquiry initiated against the petitioner final order shall be passed by the disciplinary authority, preferably within a month from the date of furnishing of charge sheet to the petitioner. Petitioner is also directed to cooperate to the enquiry. The whole exercise may be completed by 10th July, 2007.

With this direction, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

05.04.2007
VKS